

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DERRICK VANTRELL MITCHELL,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 06-0373-CG-M
JAMES SMITH, <u>et al.</u>,	:	
Defendants.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Defendant Lareka Brazile's Motion to Dismiss (Doc. 34) be and is hereby **DENIED**.

DONE and ORDERED this 14th day of April, 2008.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE